



enclosed. The enclosed print out from the PTO web site lists 116 patents that use the term.

It is respectfully submitted that one having ordinary skill in the relevant art of the instant patent application at the time the patent application was filed would have known to look at SEC regulations or consult FASB statements or check with other government records such as those at the PTO, should there be any question as to the meaning of the term "financial instrument." Likewise, one having such skill would have known to check the CFR for a definition of "preferred-return" if there had been any doubt as to the meaning of the term, as pointed out previously.


## II. CONCLUSION

The undersigned appreciates the Examiner's courtesy and if the prosecution of this case can be in any way advanced by a telephone discussion, the Examiner is requested to call the undersigned at (312) 240-0824.

The application, as amended, is believed to be in condition for allowance, and favorable action is requested. If any extension of time for responding is required, it is requested that this be deemed a petition therefore, and the Commissioner is authorized to charge any required fee, or credit any overcharge to, PTO Account 50-0235.

Respectfully submitted,

Date: 29 Nov 2000

  
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